

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION**

**IN RE:
TIMOTHY ODELL PEARCY
SANDRA FAYE PEARCY**

**CASE NO: 11-10252-RLJ-13
DATED: February 27, 2013
HEARING DATE: 2/27/2013
HEARING TIME: 11:00 AM**

NOTICE OF WITHDRAWAL OF THE TRUSTEE'S MOTION TO COMPEL DEBTOR TO FILE WITH THE COURT A COPY OF THE DEBTOR'S 2011 FEDERAL INCOME TAX RETURN OR IN THE ALTERNATIVE TO PROVIDE A COPY TO THE TRUSTEE AND/OR TO PAY ANY EXCESS TAX REFUND TO THE TRUSTEE WITHIN TEN (10) DAYS OF THE ENTRY OF THE ORDER REQUESTED HEREIN

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, AND HEREBY WITHDRAWS his "MOTION TO COMPEL DEBTOR TO FILE WITH THE COURT A COPY OF THE DEBTOR'S 2011 FEDERAL INCOME TAX RETURN OR IN THE ALTERNATIVE TO PROVIDE A COPY TO THE TRUSTEE AND/OR TO PAY ANY EXCESS TAX REFUND TO THE TRUSTEE WITHIN TEN (10) DAYS OF THE ENTRY OF THE ORDER REQUESTED HEREIN" without prejudice to refilling the same, for the motion dated 12/18/2012.

/s/ Walter O'Cheskey
Walter O'Cheskey, Chapter 13 Trustee
6308 Iola Avenue,
Lubbock TX 79424

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Withdrawal was this date served on the following parties electronically or by U.S first class mail:

/s/ Walter O'Cheskey
Walter O'Cheskey, Chapter 13 Trustee
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Debtor 2:
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